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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,188	03/17/2000	David M. Greschler	2704.1001-004	3633

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EXAMINER

WEN, SHAOJUN

ART UNIT PAPER NUMBER

2157

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/527,188

Applicant(s)

GRESCHLER ET AL.

Examiner

Shaojun Wen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

1. This is a first office action in response to application filed, with the above serial number, on March 17, 2000 in which claims 1-38 are presented for examination.

Claims 1-38 are therefore pending in the application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 24 recites the limitation "activating the application link" in line 29. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable by Li et al (hereinafter "Li", USPN 6119,165) in view of Dale et al (hereinafter "Dale", USPN 6,272,673).

As per claims 1 and 20, Li teaches a method for serving applications over a computer

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network from an application server system to a target computer, the method comprising:
the target computer signaling the server system with a request for an application (col 3, line 51-55); the server system responding to the request by transferring an application descriptor (i.e. modified HTML page) to the target computer (col 4, line 1-6);

Li does not teach the application descriptor being read by a helper application executing on the target computer; and the helper application controlling the target computer to execute the application, which resides on the server system.

Dale teach the application descriptor being read by a helper application executing on the target computer (col 10, line 24-29); and the helper application controlling the target computer to execute the application, which resides on the server system (col 10, line line 30-41).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add a helper application to Li's system because it allows user to managing the application on the sever system (Dale, col 10, line 35-37).

As per claims 2 and 21, Li does not teach a method further comprising the target computer signaling the server system with the request for the application by user selection of a link, which is displayed by a browser and associated with the application.

Dale teaches the target computer signaling the server system with the request for the application by user selection of a link, which is displayed by a browser and associated with the application (col 9, line 2-4).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add user selection link means to Li's system because it allows

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user to make explicit choice of any component (Dale, col 6, line 63-67).

As per claims 3 and 22, Li does not teach a method further comprising the application link containing an application identifier that identifies the requested application to the server system.

Dale teaches the application link containing an application identifier that identifies the requested application (i.e. requested HTML page) to the server system (col 4, line 10-16).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add application link to Li's system because it allows user to request application on the server system.

As per claims 4 and 23, Li does not teach a method further comprising the link pointing the browser to the server system.

Dale teaches a method further comprising the link pointing the browser to the server system (col 9, line 1-4).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add application link to Li's system because it allows user to request application on the server system.

As per claims 5 and 24, Li teaches a method wherein activating the application link triggers the downloading of the application descriptor (i.e. modified HTML page) from the server system to the target computer (col 3-4, line 66-6).

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As per claims 6 and 25, Li does not teach the server system encrypting the application descriptor prior to transmission to the target computer. It's well known in the art that information is encrypted prior to its transmission between server system and target. Hence it would be obvious for one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to encrypt information prior to its transmission.

As per claims 7 and 26, Li teaches a method further comprising invoking the helper application in response to the receipt of the application descriptor on the target computer (col 4, line 5-9).

As per claims 8 and 27, Li teaches a method further comprising maintaining the helper application on a graphical user interface (ie. Window) of the target computer (col 5, line 16-18).

As per claims 9 and 28, Li teaches a method further comprising maintaining the helper application on a graphical user interface of the target computer (col 5, line 24-35). Li does not explicitly teach to display advertisements on graphical user interface. However, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to have Li's graphical user interface to display advertisements.

As per claims 10 and 29, Li teaches a method further comprising issuing a command to a browser to display a follow up page in response to termination of the application on the target computer (Fig 2B).

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As per claims 11 and 30, Li teaches a method, further comprising including, in the application descriptor, minimum system requirements information, which is used by the target computer to ensure that adequate system resources are available to run the application (col 3, line 18-27).

As per claims 12 and 31, Li teaches a method wherein the application descriptor contains transaction mode information (col 3, line 41-45).

As per claims 13 and 32, Li teaches method wherein the application descriptor contains application server information indicating a host computer to which the target computer is to attach to receive the application (col 3, line 33-36).

As per claims 14 and 33, Li does not explicitly teach the application descriptor contains advertisement information indicating a host computer to which the target computer is to attach to receive advertisements. However, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add Li's advertisement information to the application descriptor.

As per claims 15 and 34, Li teaches a method further comprising tracking by the server system a status of the operation of the application on the target computer (col 4, line 24-31).

As per claims 17 and 36, Li does teach a method further comprising the application

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descriptor containing application server information indicating a host computer of application server system to which the target computer is to attach to receive the application, the host computer being selected to load balance across the application server system.

Dale teaches a method further comprising the application descriptor containing application server information indicating a host computer of application server system to which the target computer is to attach to receive the application, the host computer being selected to load balance across the application server system (col 7, line 1-7).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add selecting host computer with load balance to Li's system because it allows user to request application on the server system.

As per claim 18 and 37, Li teaches a method further comprising the target computer mounting the server system to access the application (col 3, line 33-36).

As per claims 19 and 38, Li teaches a method further comprising the target computer accessing the server system. Li does not explicitly teach accessing server via port 80. It is well known in the arts that port 80 is commonly used between communication between server and client. One of ordinary skill in the relevant art at the time the invention was made would have found it obvious to have Li's graphical user interface to display advertisements.

3. Claims 16, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Li et al (hereinafter "Li", USPN 6119,165) in view of Dale et al (hereinafter "Dale", USPN 6,272,673)

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and further in view of Rogers et al (hereinafter "Rogers", USPN 6,405,111).

As per claims 16 and 35, Li and Dale do not teach a method further comprising a failure server of the application server system receiving error log information from the helper application in response to improper operation of the application on the target computer.

Rogers teaches a method further comprising a failure server of the application server system receiving error log information (i.e. time out) from the helper application in response to improper operation of the application on the target computer (col 4, line 33-39).

Therefore, one of ordinary skill in the relevant art at the time the invention was made would have found it obvious to add Roger's receiving error log information means to Li and Dale's system because it allows user to follow the status of application running on the sever.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Erickson, Belove et al, and Sambamurthy et al are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaojun Wen whose telephone number is (703)305-4874. The examiner can normally be reached on Monday – Friday (8:30-5:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562. The fax phone number for this Group is (703) 308-9052.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The fax number for the After-Final correspondence/amendment is (703) 746-7238. The fax number for official correspondence/amendment is (703) 746-7239. The fax number for Non-official draft correspondence/amendment is (703) 746-7240.

Shaojun Wen


Patent Examiner

Technology Center 2100

January 15, 2003


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